

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Phillip C. Rhodes
Allison M. Rhodes
Debtor(s)

Bankruptcy Case No.: 19-24823-CMB
Per January 27, 2020 Proceeding
Chapter: 13
Docket No.: 24 - 5
Concil. Conf.: June 25, 2020 at 10:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated December 10, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jun. 25, 2020 at 10:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: February 4, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Phillip C. Rhodes
 Allison M. Rhodes
 Debtors

Case No. 19-24823-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dric
 Form ID: 149

Page 1 of 2
 Total Noticed: 57

Date Rcvd: Feb 04, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 06, 2020.

db/jdb
 cr
 +Phillip C. Rhodes, Allison M. Rhodes, 1434 Greystone Drive, Pittsburgh, PA 15206-1158
 +KeyBank N.A. as s/b/m to First Niagara Bank N.A., 4910 Tiedeman Road,
 Brooklyn, OH 44144-2338
 15172803 +2414 Morgan Development, 215 N Highland Ave, Pittsburgh, PA 15206-3061
 15191532 American Express National Bank, c/o Becket and Lee LLP, PO Box 3001,
 Malvern PA 19355-0701
 15172806 Amex, PO Box 1270, Newark, NJ 07101-1270
 15172807 +Amex, Correspondence/Bankruptcy, Po Box 981540, El Paso, TX 79998-1540
 15172804 +Amex, P.O. Box 981537, El Paso, TX 79998-1537
 15172808 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank of America, Po Box 982238, El Paso, TX 79998)
 15172810 Bank of America, PO Box 15796, Wilmington, DE 19886-5796
 15172811 +Bank of America, 4909 Savarese Circle, Fl1-908-01-50, Tampa, FL 33634-2413
 15172814 Chase Amazon, Cared Member Services, PO Box 1423, Charlotte, NC 28201-1423
 15172815 +Chase Card Services, Po Box 15369, Wilmington, DE 19850-5369
 15172818 +Chase Card Services, Attn: Bankruptcy, Po Box 15298, Wilmington, DE 19850-5298
 15172821 +Citi/Sears, Po Box 6217, Sioux Falls, SD 57117-6217
 15172822 +Citi/Sears, Citibank/Centralized Bankruptcy, Po Box 790034, St Louis, MO 63179-0034
 15172823 +Citibank/The Home Depot, Po Box 6497, Sioux Falls, SD 57117-6497
 15172824 +Citibank/The Home Depot, Attn: Recovery/Centralized Bankruptcy, Po Box 790034,
 St Louis, MO 63179-0034
 15172826 +Citizens Bank, ROP-450, PO Box 7000, Providence, RI 02940-7000
 15172825 +Citizens Bank, PO Box 9665, Providence, RI 02940-9665
 15172827 Citizens Bank, PO Box 18290, Bridgeport, CT 06601-3290
 15179721 +Citizens Bank N.A., One Citizens Bank Way, JCA115, Johnston, RI 02919-1922
 15172828 +Color Me Mine, 3722 San Fernando Rd, Glendale, CA 91204-2919
 15172829 Department of Labor & Industry, Office of Chief Counsel,
 Tenth Floor-Labor and Industry Building, 651 Boas Street, Harrisburg, PA 17121-0750
 15172831 First Bankcard, PO Box 2557, Omaha, NE 68103-2557
 15172833 +First National Bank, Attn: Bankruptcy, 1620 Dodge St Mailstop 4440, Omaha, NE 68197-0002
 15172832 +First National Bank, P.O. Box 3412, Omaha, NE 68197-0001
 15188152 +JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A.,
 c/o Robertson, Anschutz & Schneid, P.L., 6409 Congress Avenue, Suite 100,
 Boca Raton, FL 33487-2853
 15172836 KeyBank Commerical Loan Dept, PO Box 94525, Cleveland, OH 44101-4525
 15172838 +Keybank/usb Cc, Attn: Bankruptcy, 4910 Tiedeman Road, Brooklyn, OH 44144-2338
 15172839 +Lando, Weisberg Kelley & Co., PC, 6315 Forbes Ave, Pittsburgh, PA 15217-1745
 15172841 +Mr. Cooper, Attn: Bankruptcy, 8950 Cypress Waters Blvd, Coppell, TX 75019-4620
 15172840 +Mr. Cooper, 350 Highland, Houston, TX 77009-6623
 15181037 ++PERI GARITE, ATTN CARD WORKS, 101 CROSSWAYS PARK DR W, WOODBURY NY 11797-2020
 (address filed with court: First National Bank of Omaha, 1620 Dodge St., Stop Code 3129,
 Omaha, NE 68197)
 15172843 +PHLF, 100 West Station Square Capital, Corporation, Pittsburgh, PA 15219-1175
 15172845 +Pittsburgh City and School District, c/o Jordan Tax Service, 102 Rahway Road,
 McMurray, PA 15317-3349
 15172846 +RBS Citizens CC, 1000 Lafayette Blvd, Bridgeport, CT 06604-4725
 15172847 +RBS Citizens Cc, 1 Citizens Dr., Ms: Rop 15b, Riverside, RI 02915-3035
 15172857 +USDOE/GLELSI, 2401 International Lane, Madison, WI 53704-3121
 15172858 +USDOE/GLELSI, Attn: Bankruptcy, Po Box 7860, Madison, WI 53707-7860
 15172856 University of Pittsburgh, 127 Thackery Hall, Attn: Collections, Pittsburgh, PA 15260

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 cr

+E-mail/Text: kburkley@bernsteinlaw.com Feb 05 2020 02:50:25 Duquesne Light Company,
 c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 cr
 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Feb 05 2020 02:54:45
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15172830 E-mail/PDF: gecsedirecoverycorp.com Feb 05 2020 02:54:12 Dicks MC, Synchrony Bank,
 PO Box 960012, Orlando, FL 32896-0012
 15172834 E-mail/Text: cio.bncmail@irs.gov Feb 05 2020 02:49:44 Internal Revenue Service,
 PO Box 7346, Philadelphia, PA 19101-7346
 15177322 +E-mail/Text: key_bankruptcy_ebnc@keybank.com Feb 05 2020 02:50:10 KeyBank, N.A.,
 4910 Tiedeman Road, Brooklyn, OH 44144-2338
 15172835 +E-mail/Text: key_bankruptcy_ebnc@keybank.com Feb 05 2020 02:50:10 Keybank,
 4910 Tiedeman Road, Brooklyn, OH 44144-2338
 15172837 +E-mail/Text: key_bankruptcy_ebnc@keybank.com Feb 05 2020 02:50:11 Keybank NA,
 4910 Tiedeman Road, Brooklyn, OH 44144-2338
 15172842 +E-mail/Text: RVSVCBICNOTICE1@state.pa.us Feb 05 2020 02:49:56 PA Department of Revenue,
 Bankruptcy Division, P.O. Box 280946, Harrisburg, PA 17128-0946
 15172848 +E-mail/PDF: gecsedirecoverycorp.com Feb 05 2020 02:54:13 Synch/Google, Po Box 965022,
 Orlando, FL 32896-5022
 15172850 +E-mail/PDF: gecsedirecoverycorp.com Feb 05 2020 02:54:13 Synch/PPC, Po Box 965005,
 Orlando, FL 32896-5005

District/off: 0315-2

User: dric
Form ID: 149

Page 2 of 2
Total Noticed: 57

Date Rcvd: Feb 04, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

15172851 +E-mail/PDF: gecsed@recoverycorp.com Feb 05 2020 02:55:05 Synch/PPC, Attn: Bankruptcy,
Po Box 965060, Orlando, FL 32896-5060
15172849 +E-mail/PDF: gecsed@recoverycorp.com Feb 05 2020 02:54:13 Synch/google, Attn: Bankruptcy,
Po Box 965060, Orlando, FL 32896-5060
15173467 +E-mail/PDF: gecsed@recoverycorp.com Feb 05 2020 02:54:13 Synchrony Bank,
c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15172853 +E-mail/PDF: gecsed@recoverycorp.com Feb 05 2020 02:54:13 Synchrony Bank/Care Credit,
Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
15172852 +E-mail/PDF: gecsed@recoverycorp.com Feb 05 2020 02:54:13 Synchrony Bank/Care Credit,
P.O. Box 965005, Orlando, FL 32896-5005
15172855 +E-mail/PDF: gecsed@recoverycorp.com Feb 05 2020 02:54:13 Synchrony Bank/TJX,
Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
15172854 +E-mail/PDF: gecsed@recoverycorp.com Feb 05 2020 02:54:13 Synchrony Bank/TJX,
Po Box 965015, Orlando, FL 32896-5015

TOTAL: 17

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Nationstar Mortgage LLC d/b/a Mr. Cooper
15191534* American Express National Bank, c/o Becket and Lee LLP, PO Box 3001,
Malvern PA 19355-0701
15172805* +Amex, P.O. Box 981537, El Paso, TX 79998-1537
15172813* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
(address filed with court: Bank of America, PO Box 982238, El Paso, TX 79998-2238)
15172809* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
(address filed with court: Bank of America, PO Box 982238, El Paso, TX 79998)
15172812* +Bank of America, 4909 Savarese Circle, Fl1-908-01-50, Tampa, FL 33634-2413
15172819* +Chase Card Services, Attn: Bankruptcy, Po Box 15298, Wilmington, DE 19850-5298
15172820* +Chase Card Services, Attn: Bankruptcy, Po Box 15298, Wilmington, DE 19850-5298
15172816* +Chase Card Services, Po Box 15369, Wilmington, DE 19850-5369
15172817* +Chase Card Services, Po Box 15369, Wilmington, DE 19850-5369
15172844* +PHLF, 100 West Station Square Capital, Corporation, Pittsburgh, PA 15219-1175
TOTALS: 1, * 10, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 06, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 4, 2020 at the address(es) listed below:

Christopher M. Frye on behalf of Debtor Phillip C. Rhodes chris.frye@steidl-steinberg.com,
julie.steidl@steidl-steinberg.com;todd@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;cgo
ga@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-ste
inberg.com
Christopher M. Frye on behalf of Joint Debtor Allison M. Rhodes chris.frye@steidl-steinberg.com,
julie.steidl@steidl-steinberg.com;todd@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;cgo
ga@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-ste
inberg.com
James Warmbrodt on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper
bkgroup@kmlawgroup.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 6